

REMARKS

Claims 35-47 are currently pending in this application. Claims 35 and 40 are the independent claims.

The Office Action objected to the Abstract of the disclosure. The Abstract has been corrected in accordance with the Examiner's suggestion.

Claims 35, 36 and 40-44 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 24, 27, 29 and 30 of U.S. Patent No. 6,699,179. Dependent claims 37-39 and 45-47 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 30 of U.S. Patent No. 6,699,179, in view of U.S. patent No. 6,409,658 to Mitsumori.

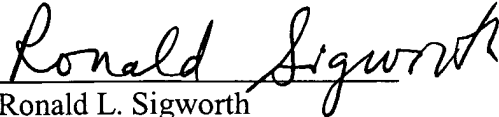
Double Patenting Rejection

Attached please find a Terminal Disclaimer, disclaiming the terminal part of the statutory term of any patent granted hereon which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,699,179. Also enclosed is an Assignment document setting forth the change of name of Scimed Life Systems, Inc. to Boston Scientific Scimed, Inc., the owner of the U.S. Patent No. 6,699,179 and the current application. The Terminal Disclaimer obviates the non-statutory double patenting rejection.

Please charge any fees due to or any other fees associated with this paper to Deposit
Account No. 11-0600.

Respectfully submitted,

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